The Examiner maintained the rejection of claims 83-86, 88, 89 and 91-96 under Section 102(e) as anticipated by Anderson et al. This portion of Anderson et al. describes making a series of three gel supports with consisting of particles with embedded and coated antibodies (and one control gel support without any antibodies), one gel support containing antibodies to Hp, one to transferrin (Tf) and one to HSA. Then:

> Each of the four types of antibody-bearing particles was mixed with an approximately equal volume of 0.75% agarose melted in phosphate-buffered saline (PBS). The agarose for the rabbit anti-HSA beads contained green food coloring to distinguish it. Likewise, the anti-Tf and Hp agarose was colored blue, the mixed anti-HSA, Tf and Hp agarose was colored yellow and the Poros BA containing agarose was white (uncolored). Each melted agarose/bead combination was sucked into a length of one mm diameter plastic tubing of 10 ml length attached to a 1 ml syringe and plunged in ice water. In several minutes the agarose gelled into a jelly-like rod containing approximately 50% Poros beads by volume. The four rods thus obtained (each containing one of the four bead types above with a different protein coating) were laid into an aluminum channel with more melted agarose to form an array of 2×2 parallel rods embedded in a square cross-section bar of agarose.

After slicing the gels to create four differently colored zones (*i.e.*, green, blue, yellow and white, each containing antibodies as described above), the zones were reacted with HSA and "this protein was expected to interact specifically with the antibodies present on two filaments (round areas on the section): these two filaments were those bearing antibodies to HSA and the mixed anti-HSA, Tf and Hp," but not to react with "the filaments carrying antibodies to Tf alone, or to the filament carrying streptavidin alone."

The claims require, (claim 92) in a method of forming an assembly of encoded beads embedded in a gel, comprising:

> beads in the assembly encoded with different labels, and wherein differently labeled beads have different biomolecules displayed on their surfaces and the labeling indicates the type of biomolecule displayed on particular beads and the type of analyte said biomolecule is capable of binding with.

The colored labeling in Anderson et al. cannot meet this definition, because the "yellow zone" in Anderson et al. includes particles coated and embedded with antibodies to HSA, Tf ***and*** Hp. Accordingy, the yellow label does not "indicate the type of biomolecule displayed on particular beads and the type of analyte said biomolecule is capable of

binding with." Also, as the fact that both the anti-Tf and the anti-Hp gels were colored blue means that differently labeled particles ***do not*** have different biomolecules displayed on their surfaces, and again, the labeling ***does not*** "indicate the type of biomolecule displayed on particular beads and the type of analyte said biomolecule is capable of binding with." Moreover, particles with anti-HSA on them are labeled both yellow ***and*** blue (as anti-HSA particles are present in the mixed gel), and therefore, again, differently labeled particles ***do not*** have different biomolecules displayed on their surfaces (yellow and blue labeled particles both have anti-HSA on their surfaces).

With respect to the rejections under Section 103(a) of claims 88 and 91, it is clear that because elements of the independent claim are not disclosed or suggested in Anderson et al., these rejections should also be withdrawn.

In conclusion, all rejections have been overcome, and allowance of the application is respectfully sought. If further clarification is needed, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

Dated:_____ By: _____

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Applicant hereby petitions for any petition required to make this submission timely and in compliance with applicable rules. The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.